

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GATEGUARD, INC., :
Plaintiff, : ORDER
-v.- : 20 Civ. 1609 (AJN) (GWG)
ABI GOLDENBERG et al., :
Defendant. :
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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

With regard to defendants' motion to compel arbitration (Docket # 69), the defendants have argued that, in the event that the Court finds that the contract claim is arbitrable and the fraud claim is not, the fraud claim should be stayed pending the arbitration of the contract claim. See Docket # 81 at 15. Because this particular argument was raised for the first time in defendants' brief, we will give plaintiff the opportunity to respond to it if it wishes. Any response may be made by letter filed on or before January 7, 2022.

SO ORDERED.

Dated: December 28, 2021
New York, New York



CABRIEL W. GORENSTEIN
United States Magistrate Judge